IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.4223 OF 2003
IN
FIRST APPEAL ST.NO.40972 OF 2003

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

CORAM: A.S.OKA, J.
DATED: JUNE 7, 2006.

P.C.:

1. Heard Shri Vidyarthi for the Applicant. The challenge in the First Appeal is to the order passed on an Application under section 140 of the Motor Vehicles Act, 1988. In view of the decision of the Full Bench of this Court, First Appeal against the order on application under section 140 of the said Act is not maintainable. As the Appeal itself is not maintainable Civil Application for condonation of delay cannot be entertained. Accordingly, Application is rejected. Consequently, Appeal also stands dismissed as not maintainable.

2. The Applicant will be entitled to refund of court fee in accordance with the rules. The Appellant is also entitled to withdraw the amount deposited in this Court in compliance with section 173 of the said Act of 1988.

3. Notwithstanding this order, the Applicant will be free to adopt appropriate proceedings for challenging the impugned Judgment and Order.

Judge.